

REGULAR MEETING

WEDNESDAY

7:00 P.M.

APRIL 3, 2013

This Regular Meeting of Council was called to order on the above-stated date at the above-stated time after the Pledge of Allegiance and a Moment of Silence by President of Council Darryl Segina with the following Members of Council present:

RC-1 PRESENT: DANIEL CARR, FAWN WALKER-MONTGOMERY, ALFRED TEDESCO, JR., RICHARD DELLAPENNA, DALE McCALL, KEITH SOLES, DARRYL SEGINA

Mr. Segina said he apologizes for the delay. He said they had a couple of pieces of legislation they had to discuss in the back and he didn't set the alarm. He said thank you for coming this evening and showing interest in how City Government works.

Mr. Segina said is Pastor Pete here. He said if not, then please be seated and they will get started with the meeting.

Mr. Segina said also present were Mayor Michael Cherepko, City Administrator Matthew Gergely, City Solicitor J. Jason Elash and members of the Administration. He said the Sergeant at Arms tonight is Detective Joseph Osinski.

APPROVAL OF MINUTES:

MOTION: Mr. Tedesco moved, seconded by Mr. Dellapenna, "To approve the minutes for the Regular Meeting of Council on March 6, 2013 at 7:00 p.m."

RC-2 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
 DELLAPENNA, McCALL, SOLES, SEGINA..... 7

 NAYS: NONE..... 0

COMMUNICATIONS:

- Received a letter from Pastor Earlene Coleman, Golf Committee Chair of Noah's Ark Community Center. They are having their Sixth Annual Noah's Ark Community Center Golf Outing, which will be held at the Youghiogheny Country Club on June 14, 2013.
- Received a letter from Chelsa Wagner, Controller, County of Allegheny, RE: Property Tax Windfall Watch.
- Received a memorandum from Mayor Michael Cherepko, RE: Zoning Hearing Board. Mayor Cherepko is asking that Janet Flegal be appointed to the Zoning Hearing Board to replace Joseph Como whose term has expired.
 - Mr. Segina said he would like a motion to approve the appointment of Janet Flegal to the McKeesport Zoning Board.

MOTION: **Mr. Carr moved, seconded by Mr. Tedesco,
 "To appoint Janet Flegal to the Zoning
 Hearing Board to replace Joseph Como."**

RC-3 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
 DELLAPENNA, McCALL, SOLES, SEGINA..... 7

 NAYS: NONE..... 0

- Mr. Segina said would Janet Flegal please step forward. He said this is Janet Flegal and this is her first step into Municipal Government. He said her husband has been a long time participant in the City and also was a

politician himself a while back. He said they welcome her and thank her for volunteering to help the City.

- Ms. Flegal said thank you.
- Mr. Segina said did Mr. Cherepko have something to say.
- Mayor Cherepko said he didn't know if Mr. Segina knew she was here and he thought it was important to acknowledge her as he just did. He said they truly appreciate the service she wants to provide to the City. He said he thinks it is important for Council, in case they didn't know her, to put a face with a name. He said he publicly wanted to take this opportunity to say thank you and that he looks forward to working with her.
- Ms. Flegal said thank you.
- Received an email from Stanley Louis Gorski of the SHACOG Purchasing Alliance, RE: Rock Salt – Exercise of Second Option Year.
- Received an email from Donna Mazza of Pennsylvania Resource Council, RE: Drug Take Back Day.
- Received a second memorandum from Donna Mazza, RE: Hard to Recycle Collection on April 20th.
- Received a memorandum from Bryan J. Washowich, Chief of Police, RE: March Monthly Statistics.
- Received a memorandum from Kevin Lust, Fire Chief, RE: McKeesport Fire Department Report for the month of March.
- Received a copy of a letter that was sent by John Tolbert, III, Director of Community Planning and Development Division, U.S. Department of Housing and Urban Development, RE: Approval of Fiscal Year 2013 Action Plan. Community Development Director, Bethany Bauer,

successfully navigated HUD's Action Plan Process culminating in the approval of the Fiscal Year 2013 Action Plan.

- Mr. Segina said thank you Bethany for a job well done. He said that is the Community Development Block Grant Fund, which is very important to the City. He said it enhances the City as far as helping it with paving streets, demolition and funding some of the myriad agencies around town, such as Common Ground. He said it is a benefit to the City. He said if they ever lose that money, it would be devastating to the City.
- Mr. McCall said are they going to release the City from
- Ms. Bauer said the City is in year two of the agreement.

MAYOR'S REPORT:

- Mayor Cherepko said he really does not have much to report this evening. He said he just wanted to comment ... the last couple of months they have had that nuisance snow. He said hopefully now that they are in April, the snow is done for the year. He said he wanted to commend the Public Works Department for doing a pretty good job on the streets considering everything they were faced with. He said overall, although it was not perfect, ... and he is not saying they are perfect, but after they got through January and Christmas when the snow came fast and there was ice, he was pretty impressed with the number of people who have taken the opportunity to acknowledge the Department on the streets. He said he wanted to publicly let those people know that the City appreciates it. He said he also wanted to let the Public Works Department know they did a great job. He said he would also like to ask Council for a motion to approve the Administration's entry into an agreement

regarding what they discussed in Executive Session over the last two nights. He said could he please have a motion for that.

MOTION: **Mr. Carr moved, seconded by Mr. McCall, "To approve the Administration to enter into an Agreement regarding the discussions that were held in Executive Session on April 2 and April 3, 2013."**

COMMENTS:

- Mr. Segina said he knows the audience does not know what they are talking about but it is a personnel issue. He said they will move on with the vote.

RC-4 YEAS: CARR, TEDESCO, DELLAPENNA, McCALL,
 SOLES..... 5

 NAYS: WALKER-MONTGOMERY, SEGINA 2

COUNCIL REPORTS:

- Mr. Tedesco said he has one thing for the Mayor. He said can they look into the intersection of Hartman and O'Neil. He said coming down O'Neil. He said he had some complaints from a citizen regarding whether there is supposed to be a delayed left hand turn at the light coming down O'Neil Boulevard. He said he doesn't know if that was in the works at one time and never implemented or should have been implemented.
- Mayor Cherepko said that would be coming up to O'Neil. He said he is not sure what they are talking about going down but he has had the same questions about the road coming up to the intersection. He said he doesn't believe there is to be one. He said he thinks the City Electrician is here and he

may be able to answer that on the spot. He said is there anything with a left turn light, Mr. Rosso.

- Mr. Rosso said at the time when the signal was put in, the numbers did not warrant a turning arrow. He said as far as the timing is concerned, he doesn't know too many people who get caught at that light on the side street on O'Neil Boulevard. He said the green light does extend quite a long time. He said as long as there are cars at the stop light, the light will stay green for at least a minute. He said sometimes even longer than that. He said traffic will then clear and they will be able to get out of the side street. He said it does not give them the advanced arrow.
- Mr. Tedesco said he thinks there are problems with people backing out because it blocks them from backing out of their driveway when it backs up in that left hand lane.
- Mayor Cherepko said he thinks it has an opposite effect. He said what he is saying is ... and he agrees ... that rather than turning at the arrow at the beginning, they make it all the way through but it is at the end of the cycle rather than the beginning of the cycle. He said is he talking about the one house, there is only one house there on the corner.
- Mr. Tedesco said yes.
- Mr. Segina said there is another problem there. He said if you are coming down Eden Park Boulevard, it says "Stop Here on Red." He said people ignore that and think they can turn right on red if there are no cars coming. He said the problem is that they have to go out so far because of the hedges there and it is difficult to see if there are any cars coming. He said there should be no turn on red there. He said that will hinder them coming down Eden Park Boulevard, but by the

same token, he has seen accidents there because people go through the red light. He said there should be a stop there and no turn on red. He said that is his opinion. He said he talked to Cooper about it and they do have "Stop Here on Red" but no one stops there on red. He said they stop and look, then edge out far enough to see if there are any cars coming. He said they could have an accident there and they haven't yet. He said he thinks it is something they should look at, whoever the Traffic Inspector is now. He said they should take a look at it and make some sort of improvement there. He said with Mr. Rosso's expertise, he should also go out and take a look at what can be done. He said is Mr. Tedesco done.

- Mr. Tedesco said he is finished.
- Ms. Walker-Montgomery said she has a couple of things. She said she had a conversation with the Mayor a couple of days ago about the shooting that occurred. She said first, she wanted to give her condolences to the family of the shooting victim. She said she had a conversation with the Mayor because she got some phone calls about the response time to the shooting saying it took 20 to 25 minutes to get there. She said she called the Mayor and he went through the report with her. She said it was actually 5 minutes for the response, not 20 or 25 minutes. She said the issue was that they were responding to other calls in the area. She said she wanted to say that publicly because she appreciates the Mayor's quick response to her call. She said people also were just calling ... she talks about violence a lot and will continue to do so because it is an issue. She said people want to know what is actually being done. She said are cameras going to be installed there or are they presently there. She said she thinks it would be helpful ... and she knows the Assistant Chief is here. She said she thinks it would be helpful if there was some kind of community meeting by Ward so that people will know exactly what is

being done. She said she knows things are being done and going on. She said the City needs to inform the community about what is happening. She said so when she gets the calls, they have some kind of forum to discuss that.

- Mayor Cherepko said he would like to answer some of those questions. He said to go back to when Ms. Walker-Montgomery called regarding the response time of the EMS, obviously that is a priority, public safety. He said when they deal with a situation like that, time seems to go in slow motion. He said he actually did bring that to Ms. Walker-Montgomery so she could see the official 9-1-1 transcripts and it was exactly ... from the time of dispatch at 3:35.57 p.m. and they arrived at 3:40.58, which is 5 minutes and 1 second. He said that was the response time of the first EMS on scene. He said he understands the concern with that. He said as far as the cameras go up there, he thinks that is something that is always an option. He said obviously there is an expense there. He said he thinks the biggest misperception with cameras is that it actually solves the crime. He said that because he gets out there a lot when they have these robberies, such as gas station robberies when there are cameras right there on these individuals that rob the place. He said they have actually had a couple of shootings right on camera and they were still unable to identify who actually committed the crime. He said it does not always resolve the issues. He said she is right though, it couldn't hurt. He said when they have the Police Department and begin to have certain issues in areas, they do have some cameras that go up on poles without anyone knowing. He said there is surveillance that no one knows about. He said they obviously don't tell anyone where they are. He said that does take place within the City. He said unfortunately they can't be everywhere at once. He said as far as the community meetings, he agrees. He said it is

something they are trying to do and are doing. He said they do get into a lot with the Task Forces. He said they are very involved. He said they also have certain areas ... and if they could form groups in certain areas ... for example there is a group headed by Sherry called the Concerned Citizens of the Library District and they are between the Library and Cornell and he has attended numerous meetings. He said they have a very large group and many people are involved. He said normally there are 40 to 50 people who show up at a meeting. He said he will attend and take the Chief or Assistant Chief. He said they have had the Captain up there before. He said that is something they can encourage and let everyone know that they do have the Select Committee, which is an open invitation for all the different entities throughout the City, including the Pastors, Reverends, the Ministerium, Task Forces, Boys and Girls Club, UPMC, the YMCA, the Library and others. He said they have representatives coming from so many different entities trying to get the word out and let everyone know what they are doing. He said without question, if there is a group, they can have meetings in the neighborhoods and help organize. He said whatever she needs him to do, just let him know and the Mayor's office will help.

- Ms. Walker-Montgomery said she sits on the Diversity Board for the School District and they had some meetings where they discussed diversity in the district and diversity in the City came up as well. She said there were representatives there from the McKeesport Chapter of the NAACP. She said she would be remiss if she did not bring up here what she said there. She said she would be a hypocrite if she didn't. She said she knows she brought this up here before. She said when they had that meeting, they pointed out that in the City of McKeesport there are not a lot of things named after minorities. She said they have streets and

monuments but there really isn't anything named after minorities. She said that was one of the things that they pointed out. She said one of the things she pointed out was that they need to do a better job of hiring minorities, and minorities does not just mean a race thing. She said they need to be more diverse in that process. She said she has said this before, that they need to be more diverse in their hiring process. She said she knows they are not hiring at this time but when they do hire, the process needs to be written down regarding how they advertise and who they hire. She said now they only have one black fireman. She said at this point they may have three or four police officers in 2013. She said she thinks that is an issue. She said they also need to ... when they do bids, they have to go with the lowest bid and that is common sense, but they need to increase the contracts that are given to minorities as well. She said she wanted to bring that up here because she brought it up there and would be remiss if she did not address that here. She said she thinks they need to get better at that. She said they are not hiring at this time but when they do they have to look at that to make sure that their hiring practices are fair across the board.

- Mayor Cherepko said absolutely.
- Ms. Walker-Montgomery said she knows she has said that before, but when they do start to hire, she does think they need something written down that they can see and is put on the website. She said they need to use the website, use the newspapers, use social media. She said it is out there now and they need to use it. She said she would be remiss if she did not say that here when she said that there. She said she also wanted to give them an update on the Board and Committees she sits on. She said for the Library, it is National Library Appreciation Week starting April 15.

She said for the Downtown Business District Authority, she actually got a phone call from someone who just opened up a business and got his number from Matt. She said he is a photographer. She said she spoke with him and welcomed him to the City and he was really excited that she actually called him and reached out to him. She said he was not really looking for a financial thing, just a welcome. She said she is going to have to meet with Patty to utilize some of the resources to get these letters out to the businesses. She said Matt has seen the letter and she will show the Mayor a copy as well. She said for the Rec Board there is a biking event coming up. She said she doesn't have a date.

- Mr. Carr said he thinks it is April 28.
- Ms. Walker-Montgomery said it is out at Renzie.
- Mr. Segina said is it in April.
- Ms. Walker-Montgomery said does anyone have any questions for her.
- Mr. Segina said in regard to her first subject, surveillance cameras, can they look on the internet to see what State or Federal Agency might give the City funding to install these at certain intersections where there are problems. He said and/or perhaps any of the retail or commercial establishments who want to put surveillance cameras in their building and whether the City could subsidize them somehow so that they can put surveillance cameras in their building, which would help the City too. He said he knows a lot of them can't afford it and if the City would subsidize it maybe they would step forward and put them in.
- Mayor Cherepko said that is definitely an idea because one thing he can tell the President is that a lot of the

businesses do have the surveillance systems and some have very good systems. He said they can see a few blocks down the road. He said they are always very open and cooperative with the Police anytime anything takes place to help identify suspects. He said that is something they can look into.

- Mr. Dellapenna had nothing to report.
- Mr. Soles had nothing to report.
- Mr. Carr had nothing to report.
- Mr. McCall said he just has one question for the Fire Chief. He said what is the problem with the water up there on Banker Street.
- Mayor Cherepko said that was a concern that took place on Banker. He said what they ran into ... he wanted to steal the Chief's thunder because he got educated himself on how the system works. He said what they ran into is that the City has a gravity fed system. He said when they are dealing with an area like that on top of the hill and almost level with the water tanks ... what they ran into was that the hydrants themselves had the pressure. He said what happened was when they tapped into the 4-inch lines, there actually was not enough volume of water. He said it was not the pressure. He said once they opened up one line, then another line and the hydrants, all of the sudden it became overwhelming to the system. He said he and the Chief sat down with the Water Authority and targeted ... the firemen know exactly which lines to tap into, the 8-inch lines and hydrants with 8-inch lines. He said that area is safe now. He said there are no concerns right now. He said they are going to run it and tap right into the 8-inch lines. He said also the Water Authority is going to try to add another hydrant or two for proximity reasons for the City to tap into.

He said once they are using the 8-inch lines, they have no problems up there. He said that is what happened. He said they did get concerns and had people thinking the hydrants were not working. He said they were working and were certified. He said all they are required to have according to the DEP is 30 psi. He said they had the pressure, but did not have the volume of water necessary. He said they are going to tap right into the 8-inch lines.

- Mr. Segina said is what the Mayor said true.
- Chief Lust said they actually went up and they had 60 psi coming out. He said they can go down to 23 psi. He said it was a home that was fully engulfed. He said the Department had to make the decision regarding what to do and they went to the exposures first. He said as everyone says regarding the time factor like Fawn brought up with the emergency on Evans, it is hard for people to tell how long it takes. He said everyone said it was 10 minutes before the water was available and it was not.
- Mr. Segina said can the Mayor fight a fire now.
- Chief Lust said when he was on Council he did go to the fire house.
- Mr. McCall said where is the 8-inch line.
- Chief Lust said it is on Grandview Avenue.
- Mayor Cherepko said it also comes up and the whole neighborhood is surrounded by the 8-inch line.
- Chief Lust said they had trouble on the Grandview side by McCarrell and they did add another hydrant there by Olympia. He said as the Mayor said, they are going to put another hydrant on Allison. He said the water lines went in before the homes were built and they were 4-

inch lines. He said they do have the capability of getting the water. He said they have to get Ray up there to do the math.

- Mayor Cherepko said the original home that was on fire was not a very large home but was all frame. He said the entire home was wood and by the time the Fire Department got there it was totally engulfed and the 4-inch line was not enough to fight that particular fire.
- Mr. Segina said wasn't an inspection of these fire hydrants done.
- Chief Lust said they inspect them every year.
- Mr. Segina said doesn't the water authority do that.
- Chief Lust said they got their ISO rating lowered so everyone's insurance would be lower. He said they are capable of fighting fires in the area. He said he was wondering whether that question was going to come up. He said they had to make a decision. He said everyone thinks they took too long and said it took 10 minutes and it did not take ten minutes.
- Mr. McCall said he wasn't talking about the time that they got there. He said it was just whether there was something wrong with the hydrant. He said that is all he was concerned about.
- Mayor Cherepko said Mr. McCall is right, the word on the street was there was no water coming out of the hydrants and that is why it got out of hand.
- Chief Lust said the biggest problem up in that area is the illegal parking. He said there were people parked in front of fire hydrants and right on the corners. He said it is very difficult to get an engine in there. He said the guys did fantastic. He said they did damage a truck, a wee little scratch. He said they hit a vehicle to

get in there. He said then other people want to come see the fire and they park in the middle of the road. He said he was trying to get another tanker truck in and there were people parked in the middle of the street. He said there was also mutual aid coming in and they don't know the streets. He said with the time factor and anyone will see that the gentleman who owned that frame house will never own a frame home again because of how fast it went up.

- Mr. Malinchak said the issue out there is really that the pressure is kind of irrelevant. He said there can be a 1-inch line with 50 psi and a 12-inch line with 50 psi, but when they go from a 4-inch line to an 8-inch line, the volumetric flow increases by four even though the diameter is only double. He said when they went to the 8-inch they had no problem. He said it is very simple. He said they don't have them color-coded, do they.
- Chief Lust said yes, they do have them color-coded. He said they have green, red and orange.
- Mr. Malinchak said the 8-inch is
- Chief Lust said the 8-inch is orange.
- Mr. Malinchak said is 8-inch the largest in the City.
- Chief Lust said no they have 12-inch. He said there are a few in the downtown area.
- Mr. Segina said he has a couple of comments. He said could the Mayor or Mr. Elash answer this. He said last week he asked about the reassessments and when the millage is going to be set for the citizens. He said he has had a couple of phone calls. He said he noticed in the paper and had about six cut outs in different communities that set their millage after that. He said in fact a lot of them were reduced. He said he thinks that is what people are looking

for. He said can they give him an update on where they stand with the millage and when they are going to make a decision on what it will be.

- Mr. Elash said the millage was passed last November in the budget ordinance.
- Mr. Segina said there was a
- Mayor Cherepko said what they are looking at is that they passed the budget and the millage was in there. He said the adjustment will be made once all of the appeals are filed within the City. He said they want to make sure they don't shortchange themselves. He said all of the residents will be made whole in one way, shape or form once they adjust the millage sometime before the end of the year. He said what they did not want to do ... they have an overwhelming number of appeals that are coming in. He said some of them ... all of the appeals for the most part are winning and being dropped a significant amount. He said they want to see when it is all said and done, where they are and all residents will be made whole.
- Mr. Tedesco said he thinks one of the questions people do have is will that be then credited for 2014 or will checks be sent out.
- Mayor Cherepko said they will have to figure that out. He said it depends on where they are and what kind of money they are talking about. He said they have different options. He said it could just be a credit on their tax bill in 2014. He said they will try to do it the most efficient way possible.
- Mr. Segina said the deadline for appeals is this month, either on April 18 or April 21.

- Mr. Elash said they did extend it again. He said he is not sure and it is his understanding that they are not even close to getting done with appeals.
- Mayor Cherepko said the process was supposed to be
- Mr. Tedesco said they were supposed to put a deadline on it but they have not done so as of yet.
- Mr. Segina said they actually get in a bind because this could go one way or another on the millage.
- Mayor Cherepko said there are buildings in the City that if they are appealed, they are dropping \$500,000 to \$600,000 He said there are numerous buildings like that because for whatever reason. He said the whole system was flawed in his opinion, there is no consistency. He said when they start dropping \$500,000 to \$600,000 on some of them, not to mention the little ones that add up, they could have a significant amount of loss if they would have set the millage in January.
- Mr. Tedesco said to tell them how flawed the system is, he has an abandoned house that has been boarded up for 20 years across the street from him and they have that assessed at \$15,000. He said one house up from it was sold in 2003 for \$40,000 and they have that assessed at \$12,000, less than the abandoned house.
- Mayor Cherepko said Mr. Tedesco is exactly right. He said they have homes in McKeesport where there are three or four vacant lots in a row and they are identical and one is assessed at \$1,500 and the other is assessed at \$10,000. He said they are two identical lots and there is just no consistency.
- Mr. Segina said the last thing he has is for the record. He said an Executive Session was held prior to the

Work Session last night and also this evening to discuss personnel matters. He said that is why some of the Bills they are looking at ... were not fully explained but were explained in the back. He said they had to do that because it does include their personnel. He said thank you to the audience for their patience.

CITIZENS IN THE AUDIENCE:

Mr. Segina said would Debbie Cochran please come forward to speak and state her name and address.

DEBBIE COCHRAN, 2921 GROVER STREET, McKEESPORT, PA 15132. Ms. Cochran said she wanted to come here today to thank the Mayor personally. She said she has been having lots of problems trying to get Ordinances enforced on the property next to hers. She said she is trying to clean up the street, which has 43% blighted properties. She said none of the houses have come down and none of the ordinances have been able to be enforced. She said the Ordinance Officer from McKeesport has been working very diligently to try to enforce those ordinances even as recently two months ago, when she came by the property again. She said they had an issue with someone putting a bunch of trash on the property, never picking it up and once the weather started getting nicer, it started to stink. She said the Mayor had a City crew come by and clean up the property, for which she is very grateful. She said she wanted to say thank you.

- Mayor Cherepko said Debbie is welcome. He said he wanted to let her know that thanks to her most recent call, they have even further developments and may be closer to finding the owner based on what she presented to them earlier today.
- Ms. Cochran said wonderful. She said thank you.

LANI TEMPLE, 1809 SUMAC STREET, McKEESPORT, PA

15132. Ms. Temple said as they know they have had for the last several years, the Blueprint Communities Initiative, which is through the Federal Home Loan Bank of Pittsburgh. She said they have received several grants through them. She said that has enabled them to do several things in the City. She said now they are able to do three signs. She said they talked with the Mayor and found out what they need. She said these are the signs that they have purchased which will be put up in several areas of the City. She said they say "Welcome to McKeesport, Proud to be a Blueprint Community." She said McKeesport is one of the few that is still a Blueprint Community, which means they can still apply for grants and things like that through the Federal Home Loan Bank of Pittsburgh. She said that is a very nice thing. She said they will be seeing these signs, which have been ordered and paid for by the Blueprint Communities' grant through the Federal Home Loan Bank. She said one will be placed on Walnut Street at Route 48, one placed coming off the Duquesne Bridge and one placed coming off of the Mansfield Bridge. She said she thinks it is a very nice sign. She said they are the Venetian Arch and a nice size, approximately 48" x 36". She said they will be seeing them soon. She said she would also like to thank ... they have a large committee so she would like to publicly thank a few people ... Lou Ethel Nesbit, Jim Haughey, Dan Carr, Jennifer Teeter and Sherry Ward for really putting forth their time and energy to come to all the meetings and for putting this all together. She said they do have some money left in the grant and are looking at what they are going to do with that.

- Mr. Segina said thank you Lani. He said she is doing a good job and those signs will look beautiful around town. He said also there is a City of McKeesport Handbook that was printed last year. He said they are available at City Hall.
- Ms. Temple said yes and they are also available in her office.

- Mr. Segina said it gives all the information you need to know about McKeesport, with the neighborhoods and churches. He said it is a very valuable thing to have.
- Someone from the audience said under the State Right to Know Act, they would like an explanation regarding what vote was taken. He said he understands there are certain things that are personnel matters but this is an expenditure by the City.
- Another person from the audience said it is a flagrant violation of the Sunshine Law.
- The first person from the audience said it is in violation of the Sunshine Act.
- Mr. Elash said are they making a Freedom of Information Request under the Freedom of Information Act.
- The first person in the audience said it is under the State Right to Know Law.
- Mr. Elash said if they submit something in writing, the City will get back to them in five days. He said this was an Executive Session in the back and the action that Council voted on did not require a vote of Council. He said it was a vote that was taken to keep relations between the Mayor and Council kosher. He said the action that was voted on did not require Council to vote and as such that vote itself was not a violation of anything related to the Sunshine Act.
- The person in the audience said they have to say what they are voting on before they vote.
- Mr. Elash said they voted on the personnel matter that was discussed in the back in Executive Session and it did not require a vote. He said what they are saying and the argument that they are making is that they did not describe what they voted on accurately enough and that it was an illegal vote. He said it did not need to be voted on to begin

with. He said it did not need to have a Council action. He said it was just something that the Mayor did to keep relations with Council so that they are involved and he can know for himself that they are in favor of what he proposed. He said the Mayor had the right to do it unilaterally. He said so there is no further explanation of what they discussed.

- The second person in the audience said who is their Right to Know Officer.
- Mr. Elash said he believes he is.
- The second person in the audience said he will be getting letters from her.
- Mr. Elash said they have five days to respond. He said they cannot make it orally and written and he is sure she is familiar with the Act.
- The second person in the audience said yes she is.

NEW BUSINESS:

BILL #113: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF MUNICIPAL FIREFIGHTERS PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE FIREFIGHTERS OF SAID MUNICIPALITY TO ADD A DEFERRED RETIREMENT OPTION PROGRAM (DROP).

- Mr. Tedesco said he has been asked by the Union that they table this Bill.
- Mr. Segina said is he talking about the Firefighter's Union.

- Mr. Tedesco said yes.
- Mayor Cherepko said that was what was discussed and unless he is missing something.
- Mr. Elash said yes, that is correct. He said the Firemen were a little disheveled as to how they wanted them to handle this and they had two Deputies telling them they wanted it passed tonight and the President of the Union just texted during the meeting and said that they would rather hold off and discuss this further. He said they need to table this Bill.

**MOTION: Mr. Tedesco moved, seconded by Mr. Soles,
"To table Bill #113."**

RC-5 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
 DELLAPENNA, McCALL, SOLES, SEGINA..... 7

 NAYS: NONE..... 0

- Mr. Segina said he would like to make one comment after this information has been tabled. He said he would like it to be back on the Agenda again for a vote. He said if he could relay that to them, he doesn't want to hold this meeting up. He said he would like to see the actuarial records so that Council knows that what they are doing is the correct thing and that no parties will be harmed on that.
- Mr. Gergely said he believes Mr. Segina has that already tonight. He said he believes the Solicitor has it with him.
- Mr. Segina said Mr. Elash said he had it but did not understand it. He said Mr. Elash told him he would bring it to him tonight and he does not see it.
- Mr. Gergely said he thinks he does have it. He said Mr. Segina will have it before the next meeting.
- Mr. Segina said can it be available to them before the meeting when they take a vote on this again.

ORDINANCE #13-9 – BILL #114: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE CITY OF McKEESPORT PREVIOUSLY EFFECTIVE AND AMENDED BY ORDINANCE FROM TIME TO TIME, RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF THE RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE CITY OF McKEESPORT PENSION PLAN, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE OFFICERS AND EMPLOYEES OF SAID CITY.

MOTION: Mr. Tedesco moved, seconded by Mr. McCall,
"To adopt Bill #114."

COMMENTS:

- Mr. Segina said he does have comments on this Bill. He said he expressed himself in the back and will express himself here. He said he thinks this sets a precedent for what the City is doing here. He said he doesn't like the idea and would like to have further thought and investigation on this, especially from Hefron-Tillotson if they can do that. He said in lieu of the fact that they don't have any set policy on this, they are setting a precedent and a dangerous one. He said there is a cloud hanging above this and he would like to clear it before he would make this thing right for everyone. He said roll call.

RC-6 YEAS: CARR, TEDESCO, DELLAPENNA, McCALL,
SOLES..... 5

NAYS: WALKER-MONTGOMERY, SEGINA 2

ORDINANCE #13-10 – BILL #115: AN ORDINANCE OF THE CITY OF McKEESPORT RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY,

INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN KNOWN AS THE COMBINED PENSION PLAN OF THE CITY OF McKEESPORT.

MOTION: Mr. Tedesco moved, seconded by Mr. Dellapenna, "To adopt Bill #115."

COMMENTS:

- Mr. Segina said as he said on the previous Bill, ditto.

RC-7 YEAS: CARR, TEDESCO, DELLAPENNA, McCALL, SOLES..... 5
 NAYS: WALKER-MONTGOMERY, SEGINA 2

RESOLUTION #2013-13 – BILL #116: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING THE SITE PLAN SUBMITTED BY DUQUESNE LIGHT FOR THE CONSTRUCTION OF A SERVICE CENTER AT PARCEL 4-12-2, CENTER STREET, McKEESPORT, PENNSYLVANIA.

MOTION: Mr. Tedesco moved, seconded by Mr. McCall, "To adopt Bill #116."

RC-8 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO, DELLAPENNA, McCALL, SOLES, SEGINA..... 7
 NAYS: NONE..... 0

RESOLUTION #2013-14 – BILL #117: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A MUTUAL AID AGREEMENT WITH SURROUNDING MUNICIPALITIES ON BEHALF OF OUR POLICE DEPARTMENT IN RELATION TO THEIR

**PROVISION OF POLICING SERVICE TO THE BORO OF
DRAVOSBURG.**

MOTION: **Mr. Tedesco moved, seconded by Mr.
Dellapenna, "To adopt Bill #117."**

COMMENTS:

- Mr. Segina said would Mayor Cherepko like to comment on this. He said he thinks the Borough of Dravosburg has been very happy with their service. He said he knows this is a routine affair and they have to approve this. He said he is happy to say Dravosburg is happy with the service the City has provided and hopefully this will lead to other combinations of Police Departments.
- Mayor Cherepko said basically this is an Intergovernmental Mutual Aid Agreement between a few different Boroughs and Cities. He said it is actually for the City of Dravosburg but since McKeesport polices them, the City represents Dravosburg when it comes to mutual aid and police services. He said therefore they need to approve it on behalf of City Council.

RC-9 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
 DELLAPENNA, McCALL, SOLES, SEGINA..... 7

 NAYS: NONE..... 0

**RESOLUTION #2013-15 – BILL #118: A RESOLUTION OF
THE CITY OF McKEESPORT, ALLEGHENY COUNTY,
PENNSYLVANIA, AUTHORIZING THE PROPER CITY
OFFICERS TO ENTER INTO AN AGREEMENT WITH HARVEY
PAVING COMPANY OF HOMER CITY, PENNSYLVANIA, FOR
THE CONCESSION STAND SEWER FORCEMAIN PROJECT IN
THE AMOUNT OF \$17,733.00.**

MOTION: **Mr. Tedesco moved, seconded by Mr. Soles,
"To adopt Bill #118."**

COMMENTS:

- Mr. McCall said this is being paid for by RAD money.
- Mr. Segina said this is for the ball field that is up there behind Lake Emily that was renovated a couple years ago. He said this will give them a sewer up there so they can have a concession stand and bathrooms working now. He said hopefully this is the last of the monies they need up there.
- Mayor Cherepko said yes for the most part. He said as far as the concession stand goes, they need to finish the actual bathrooms including the commodes, sinks and stalls and make sure it is ADA Accessible. He said other than that it will finish it up.
- Mr. Segina said they can't just have an open pipe to save them money.
- Mayor Cherepko said unfortunately not.

RC-10 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
DELLAPENNA, McCALL, SOLES, SEGINA..... 7

NAYS: NONE..... 0

RESOLUTION #2013-16 – BILL #119: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH MR. JOHN FOR 2013 PORTABLE RESTROOM RENTAL PROGRAM.

MOTION: Mr. Tedesco moved, seconded by Mr. McCall,
"To adopt Bill #119."

RC-11 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
DELLAPENNA, McCALL, SOLES, SEGINA..... 7

NAYS: NONE..... 0

RESOLUTION #2013-17 – BILL #120: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONTRACT EXTENSION WITH LOCKHART ALL SEASONS SERVICE FOR WEED AND VEGETATION CONTROL FOR A ONE YEAR TERM.

MOTION: Mr. Tedesco moved, seconded by Mr. Dellapenna, "To adopt Bill #120."

COMMENTS:

- Mr. Segina said how long can they go with the extensions on this contract before they have to go and actually bid this out again.
- Mr. Elash said as long as he is willing to hold his price, they can keep extending the contract.

RC-12 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO, DELLAPENNA, McCALL, SOLES, SEGINA..... 7

NAYS: NONE..... 0

CONTROLLER'S REPORT:

- Mr. Malinchak said he has one comment with respect to Bills 13, 14 and 15 as he mentioned in the back room. He said he thinks that the Administration and Council should consider as a precursor to these three Bills, a City policy to protect themselves with respect to the fact that they are following policy and implementing these Bills when and if in the future they are implemented. He said a second comment he has is would Mayor Cherepko be kind enough to give them an update on a topic that has not been covered for many

months – the tires. He said where are they buying and purchasing tires. He said the Mayor shared that with him yesterday. He said he would like an update for the benefit of Council members.

- Mayor Cherepko said what they are doing presently is the City is now purchasing tires from Pennzoil at the bottom of Hartman Street. He said they are local, which is nice and are an absolute 100% Authorized CoStar dealer. He said he went over numbers with Mr. Malinchak and they are getting very good prices. He said there were some concerns they had with the vendor they used previously and they are dealing with that now. He said he would rather not talk about that publicly. He said he and Mr. Malinchak went over the numbers and are pleased with the service they are getting now for their tires.
- Mr. Malinchak said did that include truck tires or do they have to go somewhere else.
- Mayor Cherepko said the truck tires are totally separate.
- Mr. Malinchak said he recommends that Council approve the Bills in the amount of \$66,290.45. He said he has one more comment after this.

MOTION: **Mr. Tedesco moved, seconded by Mr. McCall, "To approve payment of the bills in the amount of \$66,290.45."**

RC-13 YEAS: CARR, WALKER-MONTGOMERY, TEDESCO,
 DELLAPENNA, McCALL, SOLES, SEGINA..... 7

 NAYS: NONE..... 0

- Mr. Malinchak said in this stack of bills, and it is not required, but there is not an invoice for trash. He said there is another stack that Tasha said is over at the other building.

He said he knows they are looking for He said does Mr. Gergely recall the tonnage or the amount of the bill.

- Mr. Gergely said he just knows it is there.
- Mr. Malinchak said both he and Mike are looking at that. He said that is all he has to report.

ADJOURNMENT:

President of Council Segina adjourned the meeting at 8:03 p.m.

Respectfully submitted,

Patricia A. Williams
City Clerk and Clerk of Council

APPROVED:

Darryl Segina
President of Council

daw